

# THE REGIONAL MUNICIPALITY OF NIAGARA

## PROCEEDINGS OF COUNCIL

### REPORT CL 2-2005

The Municipal Council of the Regional Municipality of Niagara met in Closed Session in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, February 3, 2005 commencing at 6:30 p.m.

### ATTENDANCE

Council: Regional Chairman Partington; Councillors Almas, Angelone, Baty, Bentley, Brock, Burroughs, Casselman, Collins, Eke, Gabriel, Goulbourne, Harry, Heit, Hildreth, Hodgson, Katzman, Leavens, Martin, Mastroianni, Redekop, Salci, Saracino, Smeaton, Timms, Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Cambray, Director of Planning Services, Planning Department; Chado, Director, Water and Wastewater Services, P.W.; Nicol, Commissioner Human Resources Department; Police Chief Southall, Niagara Regional Police; Dr. Williams, Medical Officer of Health; Mr. Ventresca, Acting Commissioner of Community Services Department; Ms. Gilroy, Regional Clerk/Associate Director of Corporate Strategy; Ms. Reilly, Legislative Assistant.

#### Staff

(Part-Time): Messrs. Bowles, Executive Assistant to the Regional Chair; Robson, Director of Corporate Strategy.

Others: Deputy Chief Moody, N.R.P.S.; Dr. Sivers, Corporate Support Analyst, NRPS.

### CLOSED COMMITTEE OF THE WHOLE

49. Moved by Councillor Collins  
Seconded by Councillor Mastroianni

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

50. Agreement to License Outdoor Advertising Signs on Various Regional Roads

Moved by Councillor Harry  
Seconded by Councillor Burroughs

That the revised memorandum from Ian Neville, Commissioner of Public Works providing additional information on the Proposed Outdoor Advertising Sign Lease and Report PWA 205-2004, November 23, 2005, respecting Agreement to License Outdoor Advertising Signs on Various Regional Roads be received and the recommendations contained therein be approved and adopted.

Carried.

51. Oral Report – Dr. Williams re: Welland Industry Issue

Dr. Williams, Medical Officer of Health, provided an update on a Welland Industry Issue.

**JOINT REPORT**

52. Lease – Dr. Fingland Centre  
From the Corporation of the City of Niagara Falls  
City of Niagara Falls

Moved by Councillor Hildreth  
Seconded by Councillor Mastroianni

That Report PWA 18-2005 / COM 15-2005, January 24 and 25, 2005, Lease – Dr. Fingland Centre from the Corporation of the City of Niagara Falls, City of Niagara Falls and the recommendations contained therein be approved and adopted.

Carried.

**CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT**

53. Moved by Councillor Harry  
Seconded by Councillor Smeaton

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Baty, followed by the singing of O' Canada by the Choir from St. Vincent de Paul Catholic Elementary School, City of Niagara Falls. The Choir performed other selections for Regional Council, staff and attendees in the Chamber to their enjoyment.

54. **ADOPTION OF THE AGENDA**

Moved by Councillor Collins  
Seconded by Councillor Mastroianni

That the order of business under item 12 of the agenda " Agencies, Boards and Commissions", be changed to allow the Border Policing presentation and report to be dealt with first.

Carried.

55. Moved by Councillor Trombetta  
Seconded by Councillor Angelone

That the Council Agenda CL 2-2005 be adopted as amended.

Carried.

56. **CONFLICTS OF INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to any matters relating to wireless communication, as he is employed by a wireless communication company and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters relating to Seniors Homes as he is employed by a Seniors Home, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Baty declared an indirect pecuniary interest with respect to Report DPD 15-2005, Regional Comments on Development Proposals, Town of Pelham, Cherry Ridge Extension Subdivision Phase II, as he owns property adjacent to the property, and he therefore took no part in the discussion of, or voting on this matter.

## **PRESENTATIONS**

57. **Accreditation Awards**  
**Homes for the Aged**

Regional Chair provided background information on the Accreditation Awards process. All eight of Niagara Region's long-term care homes have achieved a three-year Accreditation award from the Canadian Council of Health Services Accreditation (CCHSA). The CCHSA is a non-profit association, that establishes Canadian standards for health services organizations including acute care and long-term care. The accreditation process involved 18 months of preparation on the part of 12 teams: Client Services Teams for each home and four Divisional Teams for the areas of Leadership and Partnership, Environment, Human Resources and Information Management. A range of staff is included on each team (front-line, middle and senior management), as well as family members, residents, volunteers and Regional Councillors, as appropriate. Regional Chair Partington, together with Councillor Hildreth, Chair, Community Services Committee and Dominic Ventresca, Acting Commissioner, Community Services presented Accreditation certificates to representatives of the Leadership & Partnership Team and each home's Accreditation. Recipients of the award are:

- Jill Hildreth and Dominic Ventresca for Seniors Services
- Connie Wightman and Krista Bowie for Deer Park Villa
- Bev Goodman and Aimie Taylor for Gilmore Lodge
- Dan Oettinger, Georgina Hughes and John Barr for Linhaven
- Angela Whalen and Judy Brandes for The Meadows of Dorchester
- Maureen Shantz for Northland Pointe
- Tom Hunter and Mahbuba Khanam for Rapleje Lodge and The Woodlands of Sunset
- Colleen Morningstar and Marlene Humphrey for Upper Canada Lodge

58. **Community Agencies and Volunteers**  
**Involved with Refugee Shelter**

The Niagara Region was faced with an influx of refugees due to a change in federal immigration legislation presenting a very real humanitarian challenge at Niagara's border with the United States during the holiday season. The response of Niagarans can best be described as compassionate, welcoming, and the right thing to do. People from all over Niagara came to aid the Region's efforts in caring for these individuals as they began their lives in Canada. Volunteers worked side by side with Regional staff to provide cash, food, clothing and toys. Regional Chair Partington presented Certificates of Achievement to the following volunteers who worked tirelessly in providing shelter and assistance to the refugees.

- The Canadian Red Cross
- Fort Erie Multicultural Centre
- Peace Bridge Newcomers Centre

- The Salvation Army
- Welland Heritage Council & Multicultural Centre

Mike Trojan, C.A.O. also received a Certificate of Appreciation on behalf of regional staff.

### **CHAIR'S REPORT**

59. **2005 Council Business Planning Sessions**

Moved by Councillor Goulbourne  
Seconded by Councillor Salci

That Report CHR 1-2005/CAO 5-2005, February 3, 2005, respecting the 2005 Council Business Planning Sessions be received; and

That an Initial Business Planning Session be held on February 24, 2005, as outlined in the report.

Carried.

60.

### **CHAIRMAN'S REMARKS**

Chair Partington thanked the choir of St. Vincent de Paul Catholic Elementary School of Niagara Falls for their rousing rendition of O Canada which he commented, was very appropriate given the presentation to those who volunteered their time to assist with the refugee situation in Welland and Fort Erie.

The Chair was pleased to announce that the Region has obtained the requisite triple majority to move forward. This was obtained through approval of the by-law on Monday night at the West Lincoln Town Council meeting. He commented the Region and local municipalities must move forward co-operatively together taking into consideration the needs and concerns highlighted during the Triple Majority Process. The Chair's office will arrange meetings with municipal stakeholders to discuss methods of advancing the cause of inter-municipal specialized transit in Niagara.

Chair Partington asked Regional Councillors to complete the survey for the Council Business Planning Sessions which lists the three priority actions they would like the Region to advance in 2005.

Congratulations went out to the Public Works Department. They were recognized recently by the Ontario Public Works Association for the Water Quality Protection Strategy and the new Recycling Facility.

The Chair thanked United Floral Distributors of Fenwick for the plants in the Council Chambers.

**APPROVAL OF MINUTES**

61. Report 1-2005  
Committee of the Whole

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Report 1-2005, being the minutes of the Committee of the Whole of Thursday, January 20, 2005, be approved and adopted.

Carried.

62. Report 1-2005

Moved by Councillor Gabriel  
Seconded by Councillor Mastroianni

That Report 1-2005, being the minutes of the Proceedings of Council of Thursday, January 20, 2005, be approved and adopted.

Carried.

**CORRESPONDENCE**

63. Communications were received and dealt with as follows:

C6411 Card of thanks from Craig Leppert, an employee of the Public Works Department and family, for the kind donation to the Woolcott Wing of the Welland County General Hospital in memory of his father George Leppert.

Received.

C6412 Card of thanks from Al Newlands, an employee of the Community Services Department and family, for the kind donation to the Tender Wishes Foundation in memory of his father William (Bill) Newlands.

Received.

C6413 Ontario Good Roads Association / Rural Ontario Municipal Association confirming Premier Dalton McGuinty will speak at the OGRA / ROMA Combined Conference at the Fairmont Royal York Hotel, Toronto February 20 – 23, 2005.

Received.

C6414 City of Welland resolution (January 20, 2005) in support of the submission from the Town of Fort Erie requesting concurrence for the wording of a question to be placed on the ballot for the next Municipal Election in Fort Erie, and consideration of a similar question for Welland's electorate.

Received.

C6415 The Honourable Dalton McGuinty, Premier of Ontario (January 19, 2005) respecting the options available within the Ministry of Citizenship and Immigration regarding the increasing flow of refugee claimants in Fort Erie from the United States.

Received.

C6416 Copy of a letter to Mayor Rigby and the City of St. Catharines Council from Catherine Nasmith, Vice President, Architectural Conservancy of Ontario (January 14, 2005) respecting plans for the heritage core of Port Dalhousie.

Received.

C6417 Deb Morton, Executive Director, Niagara Regional Police Services Board (January 18, 2005) respecting Border Policing – A Business Case for a New Financial Deal for the First Responders – Niagara Regional Police Service.

Received and referred to presentation on Report CAO 4-2005.

C6418 Memorandum to the Regional Chairman and Members of Council from Shafee Bacchus, Commissioner of Corporate Services (January 31, 2005) respecting a schedule outlining significant items resulting in the 2005 Current Budget Impact.

Recommended Action:  
--Receive.

C6421 Association of Municipalities of Ontario (AMO) Member Communication Alert (February 1, 2005) respecting the Federal Gas Tax Allocation Announcement.

--Received.

Moved by Councillor Hodgson  
Seconded by Councillor Hildreth

That Communications C6411 to C6418 and C6421 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

64. Communications were received for consideration and dealt with as follows:

C6419 Town of Fort Erie resolution (January 31, 2005) requesting support to petition the Minister of Municipal Affairs and Housing to extend the Minister's Zoning Order for Marcy's Woods.

Moved by Councillor Redekop  
Seconded By Councillor Harry

That Communication C6419, be supported.

Carried.

C6420 Memorandum to Regional Chairman and Members of Council from Pam Gilroy, Regional Clerk/Associate Director of Corporate Strategy (February 3, 2005) respecting appointments to the Ad Hoc Committee of Council on Property Assessment and Taxation Reform.

Moved by Councillor Brock  
Seconded by Councillor Hildreth

That Communication C6420, be received and Councillor Angelone and Councillor Salci be appointed to the Ad Hoc Committee of Council on Property Assessment and Taxation Reform.

Carried.

### **AGENCIES, BOARDS AND COMMISSIONS**

65. Border Policing: A Business Case for a New Financial Deal for the First Responders – Niagara Regional Police Service

Patrick Robson, Director of Corporate Strategy and Police Chief Wendy Southall provided an overview of a report regarding Border Policing and explained the inequitable financial expectation placed on Niagara's local police, the Niagara Regional Police Service, for its role as first responder to border policing incidents. They highlighted the business case for negotiating a new financial arrangement with senior governments in the immediate term, for additional analysis that will paint the full picture in terms of financial impact on local policing and then providing a decision framework for how to address this type of challenge in a proactive fashion in the future.

Moved by Councillor Martin  
Seconded by Councillor Bentley

That Report CAO 4-2005, respecting Border Policing: A Business Case for a New Financial Deal for the First Responders – Niagara Regional Police Service be received; and

That this Business Case be endorsed by Regional Council; and further

That the Regional Chairman be authorized to present the Business Case to appropriate Federal and Provincial representatives as the basis for negotiating a new financial arrangement for first response functionality as relates to border policing in Niagara.

Carried.

66. Transition to a Local Health Integrated Network

Gary Zalot, Executive Director; Wendy McPherson, Chair; Peter McAllister, Vice-Chair and Shirley Stewart, Senior Health Planner, Niagara District Health Council attended Council to apprise members of the Local Health Integration Networks; Niagara's key health care issues; the Niagara stakeholder meeting with Barbara Hall and Niagara stakeholder advice. The presenters commented that Niagara has all the characteristics of a LHIN and that Niagara needs a common voice and local mechanism such as Niagara's Integrated Planning Network, to research and articulate Niagara's distinct health care needs and to support local planning/coordination. Councillors were urged to meet with MPPs and LHIN 4 CEO/Board to convey local issues and to request them to expedite final restructuring of Niagara hospitals; establish a cancer centre and specialized MH beds, and bring cardiac services/funding to Niagara. They recommended that Niagara be chosen as an evaluation model' for Ontario. Regional Council passed a motion to support the recommendations regarding "next steps" as contained in the Joint Community Services Committee and Public Health Services Committee minutes and to forward those recommendations to the Province.

Chair Partington and members of Councillor expressed appreciation to the Niagara District Health Council Board and staff for its work and commitment to Niagara's Health Care issues.

Moved by Councillor Zimmerman  
Seconded by Councillor Angelone

That Report CSC 2-2005/PHSC 3-2005, being the minutes of the Joint Community Services Committee and the Public Health Services Committee meeting be brought forward and dealt with by this Council at this time.

Carried.

**JOINT PUBLIC HEALTH SERVICES  
AND COMMUNITY SERVICES COMMITTEES**

67. Report PHSC 3-2005/CSC 2-2005

Moved by Councillor Timms  
Seconded by Councillor Hildreth

That Report PHSC 3-2005 / CSC 2-2005, being the minutes of the Joint Public Health Services and Community Services Committees meeting of Monday, January 24, 2005, and the next steps as contained in the minutes, be approved and adopted.

Carried.

68. Moved by Councillor Timms  
Seconded by Councillor Baty

That the Regional Chairman express the Region's appreciation in a letter to the Niagara District Health Council Board and staff for its fine work over the past thirty years.

Carried.

**COMMITTEE REPORTS**

**JOINT REPORTS**

69. Capital Budget Allocation by-law for  
Water Supply for Agricultural Use  
Project ID ZCW0401

Moved by Councillor Redekop  
Seconded by Councillor Goulbourne

That Report PWA 16-2005 / CSD 15-2005, January 25, 2005, respecting the Capital Budget Allocation By-law for Water Supply for Agricultural Use Project ID ZCW0401 be received, and

That approval be given to initiate financing in the amount of \$100,000 gross and net from the approved 2004 Capital Budget for Project ZCW0401, Water Supply for Agricultural Use.

That financing from the Water Reserve Fund in the gross and net amount of \$100,000 be approved for Project ZCW0401.

That permission is given to increase the budget by \$7,000 to reflect external financing assistance toward the cost of the study.

That the Regional Clerk/Associate Director of Corporate Strategy be directed to ensure that the appropriate by-law(s) are prepared for presentation to 'Regional Council.

Carried.

70. Capital Budget Allocation By-law for the  
2005 Waste Management Capital Program

Moved by Councillor Burroughs  
Seconded by Councillor Heit

That Report PWA 17-2005 / CSD 16-2006, January 25, 2005, respecting the Capital Budget Allocation By-law for the 2005 Waste Management Capital Program be received, and

That subject to the approval of the 2005 Capital Budget, financing of \$3,580,000 gross and \$3,280,000 net be approved from the 2005 Waste Management Capital Program and allocated to the individual projects as summarized in Appendix A.

That approval be given to fund the projects with financing of \$980,000 (Waste Management Capital Reserve Fund), \$2,300,000 (Debentures 1-10 years), and \$300,000 (External Cost Sharing).

That the Regional Clerk/Associate Director of Corporate Strategy be directed to ensure that the appropriate by-law(s) are prepared for presentation to Regional Council.

Carried.

**CORPORATE AND FINANCIAL SERVICES COMMITTEE**

71. Report 2-2005

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report 2-2005 being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, January 26, 2005, be approved and adopted.

Carried.

**COMMUNITY SERVICES COMMITTEE**

72. Report 3-2005

Moved by Councillor Hildreth  
Seconded by Councillor Mastroianni

That Report 3-2005 being the minutes of the Community Services Committee meeting of Monday, January 24, 2005, be approved and adopted.

Carried.

**PUBLIC HEALTH SERVICES COMMITTEE**

73. Report 2-2005

Moved by Councillor Timms  
Seconded by Councillor Baty

That Report 2-2005 being the minutes of the Public Health Services Committee meeting of Monday, January 24, 2005, be approved and adopted.

Carried.

(Refer to staff direction on page CL 39.)

**PUBLIC WORKS AND UTILITIES COMMITTEE**

74. Report 2-2005

Moved by Councillor Redekop  
Seconded by Councillor Goulbourne

That Report 2-2005 being the minutes of the Public Works and Utilities Committee meeting of Tuesday, January 25, 2005, be approved and adopted.

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Report PWA 23-2005, January 25, 2005, respecting Retention of Consulting Services for the Baker Road Wastewater Treatment Plant, Phase Three Upgrade and Expansion class EA and conceptual Design, Town of Grimsby, be lifted and dealt with separately by this Council at this time.

Carried.

(Refer to staff direction on page CL 39.)

75. Moved by Councillor Leavens  
Seconded by Councillor Redekop

That Report PWA 23-2005, January 25, 2005, respecting Retention of Consulting Services for the Baker Road Wastewater Treatment Plant, Phase Three Upgrade and Expansion class EA and conceptual Design, Town of Grimsby, be deferred for further information.

Carried.

Upon a vote being taken, the Regional Chair declared the original motion, as amended, carried.

### **PLANNING SERVICES COMMITTEE**

76. Report 2-2005

Moved by Councillor Eke  
Seconded by Councillor Smeaton

That Report 2-2005 being the minutes of the Planning Services Committee meeting of Wednesday, January 26, 2005, be approved and adopted.

Carried.

### **CHIEF ADMINISTRATIVE OFFICER'S REPORT**

77. Report CAO 2-2005

Moved by Councillor Eke  
Seconded by Councillor Salci

That Report CAO 2-2005, February 3, 2005, respecting the Niagara Regional Housing "People Needing Housing – A Collaborative Housing Strategy for the Niagara Community" be received and that Council refer this matter to Regional Staff to bring forward a joint report outlining:

1. Any impacts on the affected department(s) and any human or financial impacts from the "People Needing Housing" strategies recommendations: and
2. A proposed service delivery model to fulfill these recommendations.

Carried.

78. Report CAO 3-2005

Moved by Councillor Burroughs  
Seconded by Councillor Harry

That Report CAO 3-2005, respecting the Report on Council's Business Plan: 2004 Priorities and Accomplishments be received for information.

Carried.

(Councillor Casselman requested that once the dates for the Council's Business Planning sessions are known, that they be provided to Regional Councillors for their calendars.)

**MOTIONS**

79. 911 Service

Moved by Councillor Timms  
Seconded by Councillor Casselman

That Report CSD 21-2005, February 3, 2005, respecting 911 Service, be received and referred to staff for further information.

Carried.

80. Maritime Transportation Security Act

Moved by Councillor Timms  
Seconded by Councillor Katzman

That the Regional Chair request consultation with the St. Lawrence Seaway Management Corporation and the Minister of Transportation on the plans for International port security measures along the Welland Canal in response to the Maritime Transportation Security Act.

Carried.

**OTHER BUSINESS**

81. Health Challenge

Councillor Burroughs advised there was a health challenge over the last 10 weeks with each team made of five members. The winner was the team "O Canada, Eh", followed by Team Niagara-on-the-Lake.

82. Market Square – Toque Tuesday

Councillor Collins advised that there is a breakfast at the Market Square on Tuesday, February 9<sup>th</sup> to raise funds for the Homeless and the selling of Toques.

83. Celebrity Chili Cook-off – Toque Tuesday  
Councillor Salci advised that Niagara Falls for Toque Tuesday is having a Celebrity Chili Cook-off to raise money for Project Share for the Homeless at the Optimistic Club on Morrison St. in Niagara Falls

**BY-LAWS**

84. Moved by Councillor Burroughs  
Seconded by Councillor Smeaton

That the following bills be now read and do pass:

**Bill 13**

A by-law to provide for the adoption of amendment 193 to the Official Plan for the Niagara Planning area to permit an expansion to the existing Sparrow Lakes Golf Course in the Town of Pelham.

**Bill 14**

A by-law to authorize Debenture Financing (1-10 years) in the amount of \$2,300,000 for individual projects in the 2005 Waste Management Capital Program.

**Bill 15**

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 3<sup>rd</sup> of February, 2005.

Carried.

**STAFF DIRECTION**

That staff be directed to:

- (i) Provide more detail on call volumes showing a breakdown by each municipality with respect to EMS Paramedic Service Delivery and response times. (Refer to minute 73.)
- (ii) Report on what actions are being taken to permanently stop the Elm Street Landfill Site/Compost Facility odours. (Refer to minute 74)

**ADJOURNMENT**

The Council meeting adjourned at 10:55 p.m.

Peter Partington  
Regional Chairman

Gail Reilly  
Legislative Assistant

Pam Gilroy  
Regional Clerk  
/Associate Director of Corporate Strategy